?BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
%DATED: 02.04.2019
*CORAM
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

+W.P.(MD)No.19243 of 2018
and
W.M.P.(MD)No.17083 of 2018

#K.Athilakshmi
... Petitioner
Vs

$1.The Commissioner
of Land Administration,
Ezhilagam,
Chepauk,
Chennai.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

4.The Revenue Divisional Officer,
Sattur,
Virudhunagar District.

5.The Tahsildar,
Vembakottai Taluk,
Vembakottai,
Virudhunagar District.

6.The Block Development Officer (Village Panchayat)
Vembakottai,
Virudhunagar District. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the second respondent in Na.Ka.Aa2/9098/2017 dated 12.12.2017 and quash the same and directing the first respondent to reclassify the land in S.No.1568 as natham land and consequently direct the respondents to issue patta in the name of the petitioner to S.No.1568 to an extent of 47.91 Sq.meters of Keelanmarainadu Village, Vembakottai Taluk, Virudhunagar District.

!For Petitioner : Mr.N.K.Ponraj

^For Respondents : Mr.M.Karuppasamy
Government Advocate

:ORDER

Heard the learned counsel on either side.

2.This writ petition pertains to survey No.1568, Keelanmarainadu Village, Vembakottai Taluk, Virudhunagar District. The petitioner sought issuance of patta in respect of the said land. By a communication dated 27.09.2017, the Tahsildhar, Vembakottai called upon the petitioner to produce documents pertaining to the said land prior to 1966. The petitioner states that during the relevant time, the petitioner-s husband met with a major accident and that is why they were not in a position to produce the document sought for by the authorities. Hence, the petitioner-s request was rejected by order dated 07.10.2017. The same was confirmed by the Revenue Divisional Officer, as well as the District Collector. The memorandum dated 12.12.2017, issued by the District Collector, Virudhunagar District, is under challenge in this writ petition.

3.When the matter came up for hearing, the learned counsel appearing for the petitioner states that the petitioner has now obtained a document dated 03.06.1948 (Document No.651/1948) in respect of the said survey number. She wants leave to go before the District Collector who can re~adjudicate her claim.

4.I am of the view that the petitioner can be given one more opportunity. The order impugned in this writ petition is quashed. The petitioner is given one more opportunity to move the second respondent herein and place all the materials in support of her claim. The second respondent shall consider the petitioner-s case afresh and on merits and in accordance with law without reference to the order impugned in this writ petition. The petitioner shall file a representation before the second respondent within a period of four weeks from the date of receipt of a copy of this order. The second respondent shall dispose it of on merits and in accordance with law within a period of 12 weeks thereafter.

5.Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

To

1.The Commissioner of Land Administration,
Ezhilagam,
Chepauk,
Chennai.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The District Revenue Officer,
Virudhunagar District,
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4.The Revenue Divisional Officer,
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Vembakottai Taluk,
Vembakottai,
Virudhunagar District.

6.The Block Development Officer (Village Panchayat)
Vembakottai,
Virudhunagar District.